

**U.S. BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

Honorable Arthur S. Weissbrodt

Tuesday, November 1, 2011

Current as of 10/26/2011 at 11:01 AM

U.S. Courthouse and Federal Bldg.

280 S 1st Street

San Jose, CA 95113

San Jose Courtroom 3020

1:45 PM **09-57002** Linda Darlene Wolf

Ch 13

Trustee: Derham-Burk

Moving: Katherine L. Johnson

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

Matter: **Hearing Re: Objection to Confirmation of Plan of US Bank National Association**

1

1:45 PM **10-50458** Joanne Serio

Ch 13

Trustee: Derham-Burk

Moving: William G. Malcolm

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

Matter: **Hearing Re: Objection to Confirmation of Plan of JPMorgan Chase**

2

1:45 PM **10-51963** Rodrigo Zesati Diaz and

Ch 13

Maria Elva Diaz

Trustee: Derham-Burk

Moving: Paul Oudom

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

Matter: **Hearing Re: Objection to Confirmation of Plan Filed by Deutsche Bank National Trust Company**

3

1:45 PM **10-61165** Selena Kellinger

Ch 13

Trustee: Derham-Burk

Moving: Henry Lerner

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: **Hearing Re: Objection to Confirmation of Plan <i>Amended Chapter 13 Plan</i> Filed by FR Westgate Mall, LLC**

4

1:45 PM **10-61500** Irvan Krantzler
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Charles B. Greene

5

Matter: **Hearing Re: Objection to Confirmation of Plan Filed by Hope Winograd**

1:45 PM **08-56305** Christine M Plascencia
Ch 13
10-05097 Plascencia v. Chase Home Finance LLC et al

Moving: Javed I. Ellahie

Opposing:

Debtor or Plaintiff Attorney: Javed I. Ellahie

6

Matter: **a) Motion to Compel <i>Further Discovery Responses from Chase Home Finance, LLC</i> Filed by Christine Plascencia (175)**

b) Opposition by Chase Home Finance LLC

Atty for Def - Yoo

1:45 PM **09-50593** John A. Campos
Ch 13
Trustee: Derham-Burk

Moving: Susan D. Silveira

Opposing:

Debtor or Plaintiff Attorney: Susan D. Silveira

7

Matter: **Application for Compensation by Attorney for Debtor**

Applicant - Susan Silveira

Fees: \$14,325.00

Expenses: \$51.00

1:45 PM **09-58457** Edward Joseph Riffle and
Ch 13 Laura Ann Riffle
10-05221 Riffle et al v. Investors Mortgage Company, Limited Partnership et

Moving: Stephen H Anderson

Opposing:

Debtor or Plaintiff Attorney: Gavin E. Kogan

8

Matter: **a) Motion to Dismiss Adversary Proceeding and any other rule of power the court deems appropriate in its discretion Filed by Stephen Anderson**

b) Opposition Filed by Debtors

1:45 PM **09-60930** Micheal Scott Grey and
Ch 13 Susan Patricia Grey
10-05288 Grey et al v. Deutsche Bank Trust Company et al

Moving: Susan P. Grey

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

9

Matter: **Hearing Re: Complaint. 11 (Recovery of money/property - 542 turnover of property), 21 (Validity, priority or extent of lien or other interest in property), 71 (Injunctive relief - reinstatement of stay) ,91 (Declaratory judgment) filed by Michael S. Grey , Susan P. Grey against DEUTSCHE BANK NATIONAL TRUST COMPANY**

***CMC set for 11/18/11 - Court to prepare order**

1:45 PM **09-61062** Leticia Marta
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

10

Matter: **a) Motion to Avoid Lien with Santa Clara County Federal CU Filed by Leticia Marta**

b) Opposition by Santa Clara County Federal Credit Union

1:45 PM **10-53248** John Joseph DePalma
Ch 13
Trustee: Derham-Burk

Moving: Steven J. Sibley

Opposing:

Debtor or Plaintiff Attorney: Steven J. Sibley

11

Matter: **a) Third Application for Compensation and Reimbursement of Unpaid Balances From Prior Applications by Attorneys for Debtor (181)**

Applicant - Dinapoli & Sibley

Fees: \$101,399.57

Expenses \$246.93

b) Second Application for Compensation and Reimbursement of Expenses by Special Counsel for Debtor(182)

Applicant - Berliner Cohen

Fees: \$153,321.23

Expenses: \$2,095.27

c) Second Application for Compensation by Counsel for Debtor (183)

Applicant - Russell J. Hanlon

Fees: \$55,000.00

Expense: \$0.00

1:45 PM 10-53249 Ann R DePalma
Ch 13
Trustee: Derham-Burk

Moving: Steven J. Sibley

Opposing:

Debtor or Plaintiff Attorney: Steven J. Sibley

12

Matter: a) Third Application for Compensation and Reimbursement of Balances From Prior Applications by Attorney for Debtor (171)

Applicant - Dinapoli & Sibley

Fees: \$26,624.23

Expenses \$240.77

b) First Application for Reimbursement of Fees and Costs by Litigation Counsel for Debtor (172)

Applicant - Niven & Smith

Fees: \$17,785.00

Expenses: \$274.57

1:45 PM 10-60029 Ramiro Nunez
Ch 13
Trustee: Derham-Burk

Moving: Karen Ko

Opposing:

Debtor or Plaintiff Attorney: James Jingming Cai

13

Matter: a) Motion to Dismiss Case <i>Pre-Confirmation</i>, in addition to Motion <i>to Disgorge Attorney Fees Filed by Devin Derham-Burk

b) Opposition by Debtor

1:45 PM 10-61996 Abel Martinez and
Ch 13 Sandra R. Hernandez
Trustee: Derham-Burk

Moving: T. Kevin Dougherty

Opposing:

Debtor or Plaintiff Attorney: T. Kevin Dougherty

14

Matter: Motion to Approve Modification of Home Loan Filed by Abel Martinez (47)

STATEMENT OF NON-OPP FLD BY CH 13 TRUSTEE

1:45 PM **10-62932** Bryan Bradley Shisler
Ch 13
Trustee: Derham-Burk

Moving: David J. Cook

Opposing:

Debtor or Plaintiff Attorney: Suzan Yee

15

Matter: **Motion for Objection to Claim of Exemption on Certain Personal Property Listed on Schedule C Pursuant to Bankruptcy Rule 4003(b) Filed by SANFER SPORTS CARS, INC.**

Atty for Creditor - Cook

1:45 PM **11-50873** Carlos Alfredo Escamilla
Ch 13
Trustee: Derham-Burk

Moving: Anh Van Nguyen

Opposing:

Debtor or Plaintiff Attorney: Anh Van Nguyen

16

Matter: **Motion to Avoid Lien (506 W. Granger Ave. Modesto, CA) <i>Bayview Financial Loan Servicing</i> Filed by Carlos Escamilla**

1:45 PM **11-52035** George Shirakawa
Ch 13
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

17

Matter: **Application for Compensation and Reimbursement of Expenses filed by Attorney for Debtor**

Applicant - Brette Evans

Fee \$5,310.60

Expenses \$0.00

1:45 PM **11-52258** Melva Jean Sharaf
Ch 13
Trustee: Derham-Burk

Moving: Ryan M. Davies

Opposing:

Debtor or Plaintiff Attorney: Scott J. Sagaria

18

Matter: **a) Motion to Dismiss Case Filed by DLJ Mortgage Capital, Inc.**

b) Opposition by Debtor

1:45 PM **11-54936** Fereydoun Babaei and
Ch 13 Fariba Farkhoor
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

19

Matter: **Motion to Avoid Lien with CitiMortgage Filed by Fereydoun Babaei (21)**

1:45 PM **11-54954** Kenneth Stephen Green
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

20

Matter: **Motion to Avoid Lien with Franklin Credit Management/Wilmington Finance Filed by Kenneth Green (15)**

1:45 PM **11-55333** Steven Dan Cox and
Ch 13 Susan Alexander Cox
Trustee: Derham-Burk

Moving: Victoria Zhi Li

Opposing:

Debtor or Plaintiff Attorney: Victoria Zhi Li

21

Matter: **a) Motion to Strike Wells Fargo's Objection Filed by Debtors (38)**

b) Objection by Wells Fargo Bank, N.A.

Atty for Creditor - Nagel

1:45 PM **11-55758** Dexter Duncan and
Ch 13 Stephanie Alicia Duncan
Trustee: Derham-Burk

Moving: Richard A. Hall

Opposing:

Debtor or Plaintiff Attorney: Richard A. Hall

22

Matter: **a) Motion for Adoption of Debtor's Form 22 Filed by Debtors (21)**

b) Objection by Trustee

Atty for Trustee - DeLateur

1:45 PM **11-56013** Maryanne Egan
Ch 13
Trustee: Derham-Burk
Moving: Brette L. Evans
Opposing:
Debtor or Plaintiff Attorney: Brette L. Evans

23

Matter: a) **Motion to Avoid Lien with One West Bank Filed by Maryanne Egan**
b) **Opposition by OneWest Bank, FSB**
Atty for Creditor - Estle
***Stipulation to Avoid Lien filed 10/25/11**

1:45 PM **11-56332** Maria Elena Esqueda
Ch 13
Trustee: Derham-Burk
Moving: Elise M. Mitchell
Opposing:
Debtor or Plaintiff Attorney: Elise M. Mitchell

24

Matter: **Motion to Avoid Lien with Citimortgage Inc. Filed by Maria Esqueda**

1:45 PM **11-57252** Paul Joseph Kelly and
Ch 13 Tamara Bernice Kelly
Trustee: Derham-Burk
Moving: Nathan David Borris
Opposing:
Debtor or Plaintiff Attorney: Nathan David Borris

25

Matter: a) **Motion to Value Secured Claim and to Avoid Lien of Wells Fargo Home Equity Re: 21126 Locust Dr., Los Gatos, CA [11 U.S.C. 506(a)] Filed by Paul Kelly (7)**
b) **Opposition by Wells Fargo Bank, N.A.**
Atty for Creditor - Nagel
c) **Motion for Entry of Default (RE: related document(s) [7] Motion to Avoid Lien filed by Debtors (13)**

1:45 PM **11-57548** Marcelino G Alday
Ch 13
Trustee: Derham-Burk

Moving: Melba Espartero-Cawit

Opposing:

Debtor or Plaintiff Attorney: Melba Espartero-Cawit

26

Matter: **a) Motion to Value the Junior Lien of National 1st Credit Union as Wholly Unsecured and Null and Void Filed by Marcelino Alday (10)**

b) Opposition by National 1st Credit Union

Atty for Cr - Oto

1:45 PM **11-59215** Saraimino Development, LLC
Ch 7
Trustee: Richardson

Moving:

Opposing:

Debtor or Plaintiff Attorney: Wendell J. Jones

27

Matter: **Order to Appear and Show Cause (RE: related document(s)[1] Voluntary Petition (Chapter 13) filed by Debtor Saraimino Development, LLC)**

***Off Calendar - Case converted 10/18/11**

1:45 PM **11-59494** Teresa M. Gonzales
Ch 13
Trustee: Derham-Burk

Moving: Lars T. Fuller

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

28

Matter: **Motion to Impose Automatic Stay <i>as to All Creditors</i> Filed by Teresa Gonzales (6)**
